



North Carolina Department of Health and Human Services  
**Division of Child Development and Early Education**

5 Star Rated License • Prekindergarten • Subsidized Early Education for Kids

Beverly Eaves Perdue, Governor

Lanier M. Cansler, Secretary

Deborah J. Cassidy, Director

January 31, 2012

## MEMORANDUM

**TO:** Interested Parties

**FROM:** Dedra Alston  
Rule-Making Coordinator

**RE:** Proposed Changes to Child Care Rules  
10A NCAC 09 .0102(32), .0714, .0901, .0902, 1501, .1502, .1503, .1504, 1506, .1702,  
.1706, .1718

The NC Child Care Commission proposes rule-making to positively affect the health, safety and welfare of children while they are in child care. Amendments to Rule .0714 set the guidelines for staff to use when supervising children indoors or outdoors while in child care. Staff must know where children are at all times and be able to hear and see them. Also a provision from the Americans with Disabilities Act (ADA) will be added for individuals with a disability who are seeking employment in child care.

Proposed rules .0901, .0902, .1701, .1706 and .1718 are in accordance with S.L. 2010-117 to improve the nutrition standards in child care facilities by limiting certain foods (i.e. juice) or prohibits providing some at all (i.e. soda, flavored milk). Meeting these requirements will continue to allow for providers to participate in the Child and Adult Care Food Program and be reimbursed as they have been historically.

As part of the Governor's Rules Modification and Improvement Program (RIMP) report, rules regarding temporary care were identified as being unnecessary. Rules .1501, .1502, .1503, .1504 and .1506 are proposed for repeal and the definition of temporary care in Rule .0102(32) will be deleted.

A public hearing will be held on February 28, beginning at 1:30 p.m. at the Division of Child Development and Early Education, 319 Chapanoke Road, Suite 120, Raleigh, NC. A copy of the proposed rules as published in the February 1st, NC Register is attached and will also be available on the Division's website at [www.ncchildcare.net](http://www.ncchildcare.net) under the "What's New" and the "Child Care Rules, Law, and Public Information" tabs.

The Child Care Commission encourages and welcomes feedback from you. This is an opportunity for the public to provide input on the proposed rules. It will be helpful for the Commission to hear your concerns or support for these changes as the rules are finalized. Written comments may be submitted through April 2, 2012, to Dedra Alston, Rule-making Coordinator, NC Division of Child Development and Early Education, 2201 Mail Service Center, Raleigh, NC 27699-2201 or by email to [Dedra.Alston@dhhs.nc.gov](mailto:Dedra.Alston@dhhs.nc.gov). Please feel free to visit the Division of Child Development and Early Education's website at [www.ncchildcare.net](http://www.ncchildcare.net) as a source of information about child care and for any updates.

/dla

Attachment